IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

WP(C).No. 14169 of 2007(J)

AGAINST THE ORDER IN EP 59/2004 IN OS.3/2002 OF SUB COURT, KASARAGOD.

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PETITIONER:

ETTIYIL JOSEPH, S/O. MATHEW,
ETTIYIL HOUSE, PADAPPU, KARIVEDAGAM VILLAGE,
SHANKARAMPADY P.O., KASARGOD.

BY ADV. SRI.T.B.SHAJIMON.

RESPONDENTS:

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1. **THE FEDERAL BANK LTD, KASARAGOD,**
   REPRESENTED BY ITS MANAGER, KASARAGOD,
   KASABA VILLAGE P.O., KASARAGOD,

2. **THE RESERVA BANK OF INDIA,**
   REPRESENTED BY ITS CHAIRMAN.

BY ADV. SRI.GEORGE VARGHESE (MANACHIRACKEL).

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.14169/2007:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE PROCLAMATION OF SALE.

EXT.P.2: COPY OF THE CIRCULAR.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.14169 of 2007

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Dated this the 26th day of June, 2007.

JUDGMENT

The petitioner availed agricultural loan and is entitled to the incentives available under the RBI guidelines. Since first respondent-Bank is getting compensation from Government for sacrifices made by it in terms of RBI guidelines, W.P. is disposed of directing the first respondent to grant all the incentives available under Ext.P2 or any modified circular issued by RBI depending on petitioner's entitlement. The first respondent will issue detailed order granting the benefit and instalment scheme to the petitioner within a period of three weeks from the date of production of copy of this judgment. Recovery proceedings will remain stayed for six weeks from now and thereafter recovery will be continued only if default is committed by petitioner in making payment in terms of the demand raised by the first respondent based on RBI guidelines.

C.N.RAMACHANDRAN NAIR
Judge

pms